

Application No.: 10/669,153

Docket No.: JCLA12271-R

**REMARKS****Present Status of the Application**

The specification was objected to for the previously added paragraph lacks reference characters. Claims 1, 11 & 19 were rejected under 35 U.S.C. 102(b) as being anticipated by Welschof et al. (US 3,879,960, as "Welschof"), and Claims 1, 3, 11 and 19 rejected under the same as being anticipated by Hartz et al. (US 5,453,052, as "Hartz"). The Office Action also mentioned that Claims 2, 4-10 & 12-17 are drawn to non-elected Species.

In response, Applicants have further amended Claim 1, canceled claims 2, 4, 6-10 & 12-17, and submitted the following remarks including the reason why Claim 5 also belongs to elected Species I. Reconsideration of Claims 1, 3, 5, 11 and 19 is respectfully requested.

**Discussion of Objection to Specification**

Applicants have amended the specification by inserting reference characters into the previously added paragraph, and respectfully request withdrawal of the objection.

**Discussion of Rejections under 35 USC 102(b)**

Claims 1, 11 and 19 were rejected as being anticipated by Welschof and Claims 1, 3, 11 & 19 by Hartz, wherein Claims 3, 11 and 19 are dependent from Claim 1 that has been further amended by adding the limitation of the rear open end of the joint outer ring being opposite to the mouth opening side, *which is particularly required to recite in the rejected claims in this Office Action.*

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One feature of Claim 1 is that the rear *open* end of the joint outer ring opposite to the mouth opening side of the joint outer ring has an inner diameter *larger* than the outer diameter of the joint inner ring.

Welschhof fails to disclose the above feature of Claim 1. The joint outer ring 2 in Fig. 1 of Welschhof does not even have a rear *open* end, for the rear end thereof opposite to the mouth opening side for insertion of the shaft 3 has a *closed* spherical surface. That is, the joint outer ring 2 in Welschhof has a rear *closed* end, *but not a rear open end*.

Hartz also fails to disclose the above feature of Claim 1. Please refer to any of Figs. 1-6 of Hartz, the joint outer ring of each joint structure does have a rear open end opposite to the mouth opening side thereof, but the inner diameter of the rear open end is *smaller* than the outer diameter of the joint inner ring, *as being contrary to the case of Claim 1*.

For at least the above reasons, Applicants respectfully submit that independent Claim 1 and Claims 3, 5, 11 and 19 dependent therefrom all patently define over the prior art.

#### **Discussion for the Necessity of Withdrawing Claim 5 from Species I**

Examiner asserted previously that only Fig. 17 shows the limitation of Claim 5 and that elected Species I is disclosed at page 15/line last-page 16/line 5 as having a structure not read on Claim 5, and also indicate that Claim 5 is drawn to non-elected Species in this Non-Final Office Action. Applicants respectfully disagree with this for the reasons below.

The words in page 15/line last to page 16/line 5 expressly disclosing elected Species I merely indicate that the inner spherical surface of the cage *contacts with* the outer one of the joint inner ring. In Fig.1(a) of elected Species I, the radius of curvature of the outer spherical

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surface of the joint inner ring is apparently *smaller* than that of the inner one of the cage, *just as in the case of Claim 5*. Hence, Claim 5 also belongs to elected Species I that includes Claims 1, 3, 11 and 19, and should not be withdrawn from Species I.

In fact, the structure illustrated in Fig. 17 also has the above feature of Claim 5, but is different from that of Fig. 1(a) *in other aspects* and thus belongs to another Species.

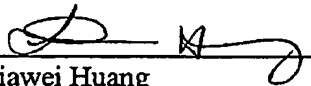
### CONCLUSION

For at least the foregoing reasons, it is believed that pending Claims 1, 3, 11 and 19 are in proper condition for allowance and Claim 5 dependent from Claim 3 *should not* be withdrawn from elected Species I but is also in proper condition for allowance *as a claim of elected Species I* like Claim 1, 3, 11 or 19. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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